

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NIPPON SHINYAKU CO., LTD.,
Plaintiff,

V.

SAREPTA THERAPEUTICS, INC.,
Defendant.

C.A. No. 21-1015 (GBW)

DEMAND FOR JURY TRIAL

SAREPTA THERAPEUTICS, INC. and THE
UNIVERSITY OF WESTERN AUSTRALIA,
Defendant/Counter-Plaintiffs

V.

NIPPON SHINYAKU CO., LTD. and NS
PHARMA, INC.,
Plaintiff/Counter Defendants.

**PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT NO. 3 -
BREACH OF CONTRACT**

Pursuant to Federal Rule of Civil Procedure 56, plaintiff Nippon Shinyaku Co., Ltd. hereby moves for partial summary judgment regarding its asserted breach of contract claim (Count I of the Second Amended Complaint, D.I. 86). The grounds for the instant motion are set forth in the accompanying opening brief in support, which is incorporated herein by reference.

Dated: December 11, 2023

Respectfully submitted,

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